

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

United States of America, :
 :
 : HONORABLE JOSEPH E. IRENAS
 : CRIMINAL NO. 08-358 (JEI)
 :
 v. :
 :
 :
 :
 : ORDER DENYING MOTION TO
 Thomas Seibel. : TERMINATE PROBATION
 :

APPEARANCES:

John J. O'Reilly, Esq.
DAY PITNEY LLP
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Morristown, New Jersey 07962

Christopher J. Gramiccioni, Esq.
Assistant United States Attorney
970 Broad Street, Suite 700
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IRENAS, Senior District Judge:

This matter having appeared before the Court on Thomas Seibel's Motion to Terminate Probation, the Court having considered the submissions of the parties and the United States Probation Office, and it appearing that:

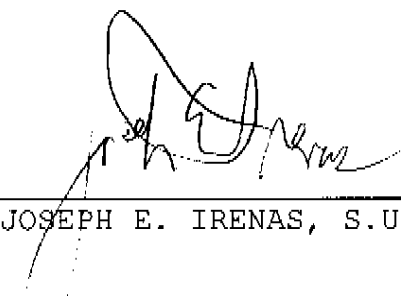
- (1) Seibel was sentenced to one month imprisonment, two years supervised release with 6 months' house detention and a \$5,000 fine. He was released from incarceration on December 13, 2008. He has approximately one year and one month remaining of the two year supervised release.
- (2) Under 18 U.S.C. § 3583(e), a district court may termination a term of supervised release "at any time

after the expiration of one year of supervised release." Seibel has not even completed one year of supervised release.

- (3) Seibel has not identified any facts or circumstances that would justify consideration of his request for termination.
- (4) In light of the foregoing and the recommendation to deny Seibel's request from the United States Attorney's Office, the Court declines to exercise its discretion to grant early termination of Seibel's supervised release. Accordingly,

IT IS on this 23rd day of November, 2009, **ORDERED THAT:**

Defendant Seibel's Motion to Terminate Supervised Release is hereby **DENIED**.



JOSEPH E. IRENAS, S.U.S.D.J.

cc: Dana Hafner, U.S. Probation Officer